

OGC Has Reviewed

MEMORANDUM FOR THE RECORD

STATINTL

FROM : [REDACTED]
Secretary

SUBJECT : Minutes of the 9 September 1976
OTR Staff Meeting

1. The 9 September 1976 OTR Staff Meeting convened at 1400 hours and adjourned at 1545 hours.

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2. [REDACTED] opened the discussion of the proposed agenda for the October OTR Conference. He noted certain assumptions which had been made in compiling the agenda. The DDCI and the DDA have been scheduled. Several members stated that courses running at that time will preclude attendance by a number of instructors. The group discussed the problem of each Unit being scheduled to give a presentation and the bad effect of a series of straight talks. The DTR charged each Unit Chief with taking their allotted time and working up a program.

3. Several members expressed reservations about the real need for the Conference. The DTR stated that, although he had had no personal involvement previously with such a program, he believed there was value in it based upon the experiences of other offices. The DDTR expressed the feeling that there would be a large payoff in letting OTR people understand what is going on throughout the Office. However, it must be well organized and not consist of just stereotyped talks.

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4. The Chief, [REDACTED] noted that a number of his people are non-OTR officers. The DTR stated that he believed there would be a benefit in morale-building if some of the [REDACTED] support people could attend. Several members questioned whether there should be more input from outside of OTR. The DTR asked the members to come up with suggestions for other topics and speakers and give them to [REDACTED]

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OTR Staff Meeting
Thursday, 9 September 1976, 1400 hours

Agenda

1. October OTR Conference

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2. Procedures for Rendering Assistance
to other Government Components
(see attached material)

Mr. Fitzwater

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3. [REDACTED] and Future Options

4. OTR Personnel Report

5. OTR Pending Actions

Mr. Fitzwater

6. The Day's Events

ADMINISTRATIVE - INTERNAL USE ONLY

DDA 76-3919

4 August 1976

MEMORANDUM FOR: DDA Office Directors

STATINTL

FROM : [REDACTED]
Executive Officer, DDASUBJECT : Procedures for Rendering Agency Assistance
to Other Government Components

1. The attached memorandum, signed by [REDACTED] addresses the issue of receiving prior approval before satisfying a request for Agency assistance to another Government component. As pointed out, [REDACTED] Annex E, addresses this matter and indicates something of the assistance that can be given to certain other components with impunity. It also points up the need for specific approvals.

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2. Also attached is a copy of Tab B of a memorandum from the DCI to the Chairman of the Intelligence Oversight Board, dated 24 April 1976, in which the Agency is committed to the Office of General Counsel reviewing requests for proposed assistance to other Government agencies.



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Attachments

76-7371

OGC 76-1949
27 July 1976

MEMORANDUM FOR: Inspector General

FROM : Anthony A. Lapham
General Counsel

SUBJECT : Procedures for Rendering Advice Pursuant to
[REDACTED] ANNEX E

STATINTL

REFERENCE : Paragraph c, page 3, Tab B of Memo to Chairman
Intelligence Oversight Board from DCI dated
24 April 1976


1. In referent, the Director assured the Chairman of the Intelligence Oversight Board that this Office will review each and every proposed request for Agency assistance to other Government components [REDACTED] ANNEX E - formerly [REDACTED]. Recently we became aware of such a case (involving a Social Security Administration request for ADP assistance) wherein there seems to be no evidence of formal coordination with this Office (there is indication that some verbal coordination may have been undertaken).

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2. Fortunately, we agree with the substantive judgment that was made in that case, and we certainly appreciate the reasons why formal coordination was not undertaken there. Notwithstanding, especially because of the assurances mentioned above, we are of the view that it may, in the future, be important to be able to conclusively demonstrate formal coordination in accordance with the regulation.

3. In order to accomplish this we suggest the following: In those cases, such as the instant case, in which (a) you believe the Agency has authority to perform the requested assistance and (b) you believe are uncontroversial, you could simply add a concurrence line for this Office to your formal opinion and route such opinion through this Office on its way to the Directorate concerned. Such a procedure will allow, in our

view, full compliance with the regulation and will keep this Office informed --
I presume one of the underlying intents of the drafters of the regulation --
as to that assistance the Agency is providing, yet will not create undue
administrative burden or delay.


Anthony A. Lapham

STATINTL

cc: ✓DDCI
Asst to DDCI
DDO
OLC

OFFICE OF THE GENERAL COUNSEL

ORGANIZATION

The Office of the General Counsel consists of the General Counsel, the Deputy General Counsel, an Executive Officer, several Special Assistants and four substantive legal divisions: Freedom of Information and Privacy Law, General Law, Logistics and Procurement Law, and Operations and Management Law.

a. The General Counsel reports to the Director and is a member of the CIA Management Committee.

b. The Freedom of Information and Privacy Law Division is responsible for appeals, litigation and legal questions relating to the Freedom of Information and Privacy Acts.

c. The General Law Division is responsible for legislation, regulations, classification, publications, copyright, conflicts of interest, international law and treaties and for providing legal advice on Agency wide management and policy matters and Intelligence Community matters.

d. The Logistics and Procurement Law Division provides legal advice to the Director of Logistics. It has responsibility for the legal aspects of all Agency procurement contracts as well as for real estate, customs, patent and environmental matters.

e. The Operations and Management Law Division is responsible for legal matters relating to clandestine operations, including administrative plans, cover, proprietaries, taxation, and defectors; this division also handles personnel and finance questions, claims, cleared attorneys, personal legal assistance and jury duty and witness questions.

AUTHORITIES AND RESPONSIBILITIES

CIA Headquarters Regulation [REDACTED] outlines the principal authorities and responsibilities of the Office of General Counsel. Copies of this regulation and related Headquarters notices are attached.

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The General Counsel is responsible for all legal matters arising out of the official business of the Agency. His primary responsibility is to advise the Director of Central Intelligence. In addition, he provides counsel and guidance to officers and employees at all levels on legal issues connected with the conduct of the Agency's mission. Many of the problems handled are unique because of the mission and requirements of the Directorate of Operations. He is responsible for the review of contracts and agreements between the Agency and non-governmental organizations, review of all regulatory issuances prior to publication, coordination of legal issues involved in CIA relationships with non-Agency organizations and liaison with the Office of the Legislative Counsel on congressional matters especially those pertaining to legislation.

Legal advice to the Director as well as to subordinate officials of the Agency is given not only by written memorandum, but also in the course of countless oral discussions on matters of particular concern. Because the General Counsel advises on proposed activities orally and informally at an early stage whenever possible, much of the advice and effect thereof will not be a matter of record. The result of such advice will nevertheless be a regulation, guidelines or activity which conforms with the law.

RESOURCES

The Office's resources have been increased from authorized strength of [redacted] persons which included [redacted] attorneys and a budget of approximately [redacted] in FY 1975 to a projected strength of [redacted] including [redacted] attorneys and a budget of approximately [redacted] for FY 1977. Of these [redacted] are now on duty, 3 are being cleared for duty and the last is being recruited. This increase is due primarily to an ever-increasing workload. In particular, it is responsive to the recommendations of the Rockefeller Commission Report and the Analysis of Structure, Function and Manpower (of CIA/OGC), September 1975 prepared by the Management Programs and Budget Staff, Office of Management and Finance, Department of Justice, and to the direction of former DCI Colby.

DISCOVERY AND REPORTING PROCEDURES

The studies and direction mentioned above have resulted in several new practices and procedures being established and several existing practices and procedures being modified or changed.

- a. An Agency Regulation [redacted] has been issued which explicitly prohibits certain activities which this Agency has participated in or has been associated with in the past. The Office of General Counsel made a major contribution to the

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formulation of this regulation. In certain cases the regulation allows certain activities only after legal review by this Office and the DCI's approval.

b. This same regulation [REDACTED] was issued to ensure that Agency activities are in compliance with law. The Deputy Directors and Heads of Independent Offices of the Agency must consult with the Office of General Counsel on the legality of all activities unless the legality of a proposed activity has been previously clearly established.

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c. An Agency regulation [REDACTED] was issued to establish approval procedures prior to Agency components assisting other Federal, state and local Governments. Such procedures require a review of the proposed assistance by the Office of General Counsel.

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d. Former DCI Colby directed that the General Counsel continue to broaden the role of his Office by reviewing ongoing projects and activities. In this regard, he directed that the General Counsel review program budgets and participate in the monthly Comptroller meeting with the Deputy Directors.

e. Former DCI Colby directed that the Office of General Counsel review all Agency regulatory issuances (including those of the Directorates and components therein) to ensure that they conform to existing legislation and authorities. Related thereto, he endorsed a complete review of the Agency regulatory process, to which the Office of General Counsel will make a major contribution.

f. The recruitment practices for new attorneys to the Office of General Counsel has been changed to effect a balance between those recruited from outside the Agency and those with experience in other components of the Agency.

g. In order to operate more efficiently, the Office of General Counsel has been divided into four substantive divisions. More importantly, however, this reorganization will permit a greater degree of specialization which should facilitate raising the degree of legal scrutiny that this Office can direct toward a specific activity.

h. One of the senior attorneys in the Office of General Counsel has been assigned to work directly with the Operations Directorate. Two other senior attorneys are assigned to work directly with the Office of Logistics. All of these attorneys are physically located with those components to which they are assigned. The Office has begun a study to determine whether such assignments to other Agency Directorates and Offices are desirable.

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One of the substantive divisions of the Office concentrates almost its entire attention on the programs and activities of the Operations Directorate and related matters.

j. Former DCI Colby directed that legal opinions and legal representation of the Agency be undertaken only by attorneys assigned to the Office of General Counsel or who are directly responsible to the General Counsel.

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k. Regulatory issuances [REDACTED] have been disseminated and will continue to be disseminated to all employees on a regular periodic basis directing them to report any activity which appears inconsistent with the Agency's legislative charter.

b. OFFICE OF GENERAL COUNSEL

- (1) Mission. The General Counsel is responsible for all legal matters arising in connection with the official business of the Agency. The General Counsel shall have access to any information in CIA necessary to perform his assigned duties. In compliance with Executive Order 11905 dated 18 February 1976, the General Counsel will (provisions of the Executive Order are quoted in italics):
 - (a) *Transmit to the Intelligence Oversight Board reports of any activities that come to his attention that raise questions of legality or propriety.*
 - (b) *Report periodically, at least quarterly, to the Intelligence Oversight Board on his findings concerning questionable activities, if any.*
 - (c) *Provide to the Intelligence Oversight Board all information requested about activities within the CIA.*
 - (d) *Report to the Intelligence Oversight Board any occasion on which he was directed not to report any activity to the Oversight Board by the DCI.*
 - (e) *Formulate practices and procedures designed to discover and report to the Intelligence Oversight Board activities that raise questions of legality or propriety.*
- (2) Functions. The General Counsel will:
 - (a) Act as adviser to the Director on legal matters.
 - (b) Advise and assist all officials and employees on legal matters arising in connection with the official business of the Agency including review of all contracts of interest to the Agency.
 - (c) Review all regulatory material of the Agency for legality prior to publication.
 - (d) Be responsible for and control all general liaison outside the Agency relating to legal matters.
 - (e) Maintain a panel of private attorneys who are cleared for use in connection with all Agency activities and be responsible for selections and use of private attorneys in respect to Agency matters for whatever purpose.

4 February 1976

OFFICE OF GENERAL COUNSEL

1. The Office of General Counsel has been reorganized to provide better service to the various components within the Agency. A general, but not inclusive description of the functions of each division follows:

a. The Freedom of Information and Privacy Law Division is responsible for appeals, litigation and legal questions relating to the Freedom of Information and Privacy Acts.

b. The General Law Division is responsible for legislation, regulations, classification, publications, copyright, conflicts of interest, international law and treaties and for providing legal advice on Agency-wide management and policy matters and Intelligence Community matters.

c. The Logistics and Procurement Law Division provides legal advice to the Director of Logistics. It has responsibility for the legal aspects of all Agency procurement contracts as well as for real estate, customs, patent and environmental matters.

d. The Operations and Management Law Division is responsible for legal matters relating to clandestine operations, including administrative plans, cover, proprietaries, taxation, and defectors; this division also handles personnel and finance questions, claims, cleared attorneys, personal legal assistance and jury duty and witness questions.

2. Correspondence should continue to be addressed to the Office of General Counsel, 7-D-07 Headquarters Building, but may be directed to the attention of a particular individual or component as listed below:

General Counsel
Mr. John S. Warner
Room 7-D-01 Headquarters Building Ext. 6111

Deputy General Counsel
[REDACTED]
Room 7-D-01 Headquarters Building Ext. 6378

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INCREASED RESPONSIBILITIES AND
AUTHORITY FOR THE GENERAL COUNSEL

STATINTL 1. Pursuant to Executive Order 11905, dated 18 February 1976, I have promulgated a revision of Headquarters Regulation [REDACTED] Office of General Counsel, to incorporate requirements that the General Counsel report to the Intelligence Oversight Board any activities that come to his attention that raise questions of legality or propriety, and to formulate practices and procedures designed to discover and report such activities.

2. Further, pursuant to that Order the General Counsel shall have access to any information in CIA necessary to perform his assigned duties.

STATINTL

Ge [REDACTED]
Director

STATINTL

- (5) **ASSIGNMENT OF PERSONNEL.** *An employee of a foreign intelligence agency detailed elsewhere within the Federal Government shall be responsible to the host agency and shall not report to such employee's parent agency on the affairs of the host agency, except as may be directed by the latter. The head of the host agency, and any successor, shall be informed of the detailee's association with the parent agency. (In accordance with*

- (6) **PROHIBITION OF ASSASSINATION.** *No employee of the United States Government shall engage in, or conspire to engage in, political assassination.*

(7) **RELATIONS WITH FEDERAL, STATE, AND LOCAL AGENCIES**

- (a) **General.** Each Deputy Director and Head of Independent Office is responsible for the propriety of all agreements, arrangements and practices under his jurisdiction in support of or in cooperation with state, local or other Federal agencies, or private organizations in connection with services these organizations provide to such government units. (See Annex E for procedures to obtain approval for CIA assistance to other government components.)

- (b) **Support to Department of Defense (DoD) Intelligence Elements.** CIA is authorized to provide technical guidance, training, equipment and similar assistance to DoD intelligence elements related to their appropriate foreign intelligence and foreign counterintelligence responsibilities provided such assistance is approved by the appropriate Deputy Director. Assistance also may be provided to DoD U.S.-based counterintelligence operations that are directed against foreign intelligence targets, provided such assistance has been approved by the Deputy Director for Operations and is in accord with the procedures specified by Annex D.

(c) **Narcotics Intelligence**

- (1) Section 4(b)(3) of Executive Order 11905 provides that the Central Intelligence Agency shall "collect and produce intelligence on foreign aspects of international terrorist activities and traffic in narcotics." However, no CIA narcotics intelligence collection operations shall be specifically directed at individual U.S. persons abroad except as provided for in paragraph 1c(1)(a)(3) above. Information incidentally acquired in the course of normal foreign intelligence collection or of operations against foreign narcotics intelligence activities may be provided to the Drug Enforcement Administration (DEA) and other federal agencies. The general purpose of furnishing such information is for intelligence and not prosecutorial purposes.
- (2) Field installations shall alert headquarters as soon as it becomes apparent that an anti-narcotics operation or a report intended for formal dissemination has domestic U.S. implications or leads. Such information, including the identity of U.S. persons, may be given to DEA. The foreign operation as such shall remain, however, under CIA control.
- (3) CIA may provide technical equipment for overseas operations of DEA as approved by the Deputy Director for Operations. CIA will not provide any support to DEA domestic operations, except

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that CIA may give to DEA technical briefings unrelated to any pending investigation in the United States. Technical equipment for DEA operations abroad may be provided only under the following conditions:

- (a) The equipment is not operated by CIA personnel.
- (b) The request for support is accompanied by full explanation of the planned use of the equipment and of the authority under which it will be used.
- (c) The request is approved by the Deputy Director for Operations with the concurrence of the Office of General Counsel.
- (d) **CIA Participation in Interagency Domestic Intelligence Discussions.** CIA participation in any interagency discussions on domestic intelligence will be restricted to the provision of foreign intelligence that might bear upon the matters being considered.
- (e) **Limitations on Safehouses.** CIA safehouses within the United States shall not be used by state or local agencies. Federal agencies may utilize such safehouses only on foreign related matters and then only with the approval of the Director.
- (f) **Relations with the U.S. Postal Service.** CIA may provide technical assistance to the U.S. Postal Service, such as briefing the service on CIA's knowledge of letter bombs. CIA will comply with all United States postal laws and regulations.
- (g) **Relations with the U.S. Secret Service.** CIA may provide assistance to the U.S. Secret Service in the performance of its protective duties in accordance with Public Law 90-331 dated 6 June 1968, which authorizes such assistance from other government agencies. In addition, other normal liaison relationships may be maintained between CIA and the Secret Service.
- (h) **Relations with the Immigration and Naturalization Service.** The entrance into or departure from the United States of non-U.S. persons under the sponsorship of CIA will be conducted in accordance with normal Immigration and Naturalization Service procedures or as provided for either in Section 7 of the CIA Act of 1949, as amended (50 U.S.C. 403h), or in the agreement between the Immigration and Naturalization Service and the CIA dated 10 February 1955. If special circumstances require that a non-U.S. person under sponsorship of CIA enter or leave the United States without using his true identity, the approval of the Immigration and Naturalization Service is required. In addition, other normal liaison relationships may be maintained between CIA and the Immigration and Naturalization Service.

(8) PROVISIONS RELATING TO OTHER ACTIVITIES

- (a) **Counterintelligence Activities.** CIA is authorized to engage in counterintelligence activities in conformity with requirements of law and National Security Council directives, including certain services of common concern as specified in NSCID 5, paragraph 3.
 - (1) With respect to counterintelligence activities in the United States, CIA must conform with procedures specified by the Attorney General (see Annex D).
 - (2) With respect to counterintelligence activities conducted abroad, CIA operations directed specifically at United States persons will

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- (d) Dissemination of foreign intelligence and foreign counterintelligence information directly to the interested federal agency. Dissemination of such information beneficial to local law enforcement agencies will be made only through the FBI.
- (3) **RESTRICTIONS ON EXPERIMENTATION.** *Foreign intelligence agencies shall not engage in experimentation with drugs on human subjects, except with the informed consent, in writing and witnessed by a disinterested third party, of each such human subject and in accordance with the guidelines issued by the National Commission for the Protection of Human Subjects for Biomedical and Behavioral Research. Experiments on subjects who have given informed consent will be undertaken only with the Director's specific approval.*
- (4) **ASSISTANCE TO LAW ENFORCEMENT AUTHORITIES**
- (a) *No foreign intelligence agency shall, except as expressly authorized by law (1) provide services, equipment, personnel, or facilities to the Law Enforcement Assistance Administration or to State or local police organizations of the United States or (2) participate in or fund any law enforcement activity within the United States.*
- (b) *These prohibitions shall not, however, preclude: (1) cooperation between a foreign intelligence agency and appropriate law enforcement agencies for the purpose of protecting the personnel and facilities of the foreign intelligence agency or preventing espionage or other criminal activity related to foreign intelligence or counterintelligence or (2) provisions of specialized equipment or technical knowledge for use by any other Federal department or agency.*
- (c) The following relationships may be entered into to support legitimate activity of the CIA:
- (1) *LEAA assistance may be requested through the Office of Security for evaluative information on equipment and techniques with respect to terrorist problems.*
- (2) *Contact may be maintained with and assistance sought from state and local police organizations in the course of normal background and security investigations, for the protection of CIA personnel and installations, and in connection with other matters permissible within the CIA charter.*
- (3) *Contact also may be maintained with police department bomb squads to observe their techniques in identifying, handling, and disarming terrorist bombs and to discuss technical aspects of countering explosive devices. The purpose will be to obtain information on bomb handling and not to train the local police departments.*
- (4) *Attendance may be authorized at explosive ordnance disposal conferences and similar briefings or seminars to keep abreast of new developments in terrorist techniques and countermeasures.*
- (5) *It is appropriate for CIA to have individual relationships with state and local police organizations for cooperation in training CIA employees in the United States preparatory to their assignment abroad. It should be clearly indicated that this is a training relationship, and no assistance will be given to police organizations in the course of training CIA personnel.*

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conform to paragraphs 1c(1)(b) and (c) above and will be coordinated with the FBI and/or with other federal agencies as appropriate.

- (b) **Polygraphing of United States Persons.** CIA internal polygraphing programs authorize polygraph examinations of U.S. persons and are restricted to CIA applicants, employees, individuals being considered for or holding CIA security clearances or approvals, or other persons involved in CIA operations. Polygraph examinations of other U.S. persons will be conducted only with their consent and only with the prior written approval of the Director.
- (c) **Foreign Economic Activities of U.S. Persons.** No operational or analysis project will be undertaken specifically to cover the foreign economic activities of a U.S. person. This restriction would not preclude studies of foreign economic activities that include analyses of the roles of U.S. firms, for example: foreign demand for U.S. grain; U.S. technology transfer to the USSR; foreign discrimination against U.S. firms; and studies evaluating the importance of the U.S. in worldwide economic activities, such as shipping and energy. To the extent that information on the economic activities of U.S. citizens or firms abroad is incidentally acquired in the course of CIA's normal foreign intelligence activities and is significant to other U.S. agencies, it may be forwarded to such agencies with the approval of the Deputy Director concerned.
- (d) **Cover.** Cover as established, coordinated with, or arranged by the Cover and Commercial Staff is appropriate support for our foreign intelligence objectives. To the degree that cover and proprietary arrangements are required, a clear justification will be developed as to the relationship to and support of CIA's mission.
- (e) **Proprietary Arrangements.** The operations and development of essential proprietary arrangements will be conducted as necessary to perform the functions and duties of the Central Intelligence Agency. CIA proprietary companies shall not operate on a commercially competitive basis with United States businesses, except to the extent necessary to establish commercial credibility or to achieve the clearly defined foreign intelligence objectives outlined in Executive Order 11905, Section 4(b), paragraphs (1) through (9). No investments by a proprietary company will be made on the basis of any substantive intelligence obtained from CIA.
- (f) **Cover for Other Agencies.** CIA shall not provide cover for other Government agencies except as approved by the Deputy Director for Operations or his designated representative, Chief, Cover and Commercial Staff, as stipulated in [REDACTED] STATINTL
- (g) **Identity Documentation.** The Deputy Director for Operations in consultation with the Office of General Counsel shall strictly control the issuance, accountability and recovering of identity documentation procured or produced by CIA for its operations or in response to requests from other agencies.
- (h) **Domestic Events.** All Deputy Directors shall exhibit particular sensitivity to the possible coincidence between CIA training, testing, operational, or support activities and significant domestic political, or other events which the unwitting observer could interpret as improper Agency activity. This refers particularly to political conventions, the

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activities of dissident groups, etc., in which cases CIA activities should be terminated, moved away, or suspended temporarily.

- (i) **Support to the White House Office.** Any support requested by or extended to the White House Office, excluding the dissemination of foreign intelligence, must have the prior approval of the Director.
- (j) **Target Watchlists.** No list shall be developed as a target watchlist on American citizens.
- (k) **Foreign Radio Broadcasts.** Monitoring of foreign radio broadcasts which include statements by United States persons is permissible when such activity is an incidental aspect of coverage of foreign radio broadcasts.
- (l) **Correspondents and Representatives of Public Media.** CIA will not enter into any paid or contractual relationship with any full-time or part-time news correspondent accredited by any U.S. news service, newspaper, periodical, radio or television network or station. CIA recognizes that members of this group may wish to provide information to the CIA on matters of foreign intelligence of interest to the U.S. Government. The CIA will continue to welcome information volunteered by such individuals.
- (m) **Clergymen and Missionaries.** In light of the special Constitutional concern with church-state relationships, CIA shall establish no secret, paid or unpaid, contractual relationship with any American clergyman or missionary. This restriction applies to any person whether or not ordained who is sent out by a mission or church organization to preach, teach, heal, or proselyte. In addition, American church groups will not be funded nor used as funding cutouts for CIA purposes. The CIA will, however, continue to welcome information volunteered by American clergymen or missionaries. If, in the determination of a senior Agency official, such individuals might possess important foreign intelligence information, the Agency might initiate contact so as to afford an opportunity for channeling this information to the Government. Such initiatives, however, shall not be taken abroad.

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PROCEDURES TO OBTAIN APPROVAL FOR CIA ASSISTANCE
TO OTHER GOVERNMENT COMPONENTS

- (1) Each responsible official will report to his Deputy Director or Head of Independent Office for approval every request for initiation or continuation of assistance to other government components excluding requests:
- * (a) Concerning activities explicitly authorized by NSCIDs, DCIDs, or by paragraphs 1c(7)(b) through (h) of this regulation;
 - (b) For permission for third agency dissemination;
 - (c) For preparation or passage of information, analyses of information, or reports concerning foreign phenomena, including foreign personalities;
 - (d) For security clearances and related information under Executive Order 10450 or Executive Order 10865;
 - (e) For employment references.
- (2) Reports relating to requests for initiation or continuation of support or co-operation as noted above will cover administrative, financial or logistical assistance, as well as operational and intelligence support. Such reports will include a description of the activity, relevant dates, organization(s) involved, rationale for activity, financial and manpower requirements and name of Agency employee to consult for additional information. Every such request which includes a prospective financial commitment by the Agency or which will entitle the Agency to an advance or reimbursement must be referred to the Director of Finance for consideration before final commitment is made. A copy of every request (including requests approved by the Inspector General under the provisions of subparagraph (3) below) relating to an activity which will involve either the receipt or expenditure of funds will be provided to the Director of Finance.
- (3) Deputy Directors and Heads of Independent Offices, in assuring the propriety of all undertakings covered by this regulation, will exercise approval authority on requests with which they concur for any new or continuing relationship compatible with relationships for which legality and propriety have been previously established, except requests for activities, undertakings or agreements that will involve policy or resource implications such as:
- (a) Undertakings that would establish significant new policy or raise questions that suggest the desirability of establishing an Agency-wide policy;
 - (b) Agreements that contain provisions that must be cleared with, or reported to, the Office of Management and Budget;
 - (c) Activities that appear to be in conflict, or overlap with, other existing agreements or understandings with high level officials of other U.S. Government agencies;
 - (d) Arrangements of such complexity, sensitivity, or importance that the Director of Central Intelligence should be informed of them;
 - (e) Undertakings of such magnitude that reprogramming or reallocation of funds will be required;
 - (f) Arrangements which while technically appropriate may appear to conflict with the spirit of existing law or policy.
- Deputy Director and Heads of Independent Offices will forward to the Inspector General any report with which they concur involving an undertaking of a character for which no precedent of legality or propriety has been established or which involves policy or resource implications such as those identified above. The Inspector General, after requesting and receiving the written

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opinion of the General Counsel, will recommend initiation, continuation, termination or modification of the activity as he may deem appropriate. Where there is disagreement by the Deputy Director, the Inspector General or the General Counsel, the report will be forwarded to the Director for resolution.